

NOTICE OF ADJOURNMENT MOTION BY SRI S. BANGARAPPA

† ಶ್ರೀ ಎಸ್. ಬಂಗಾರಪ್ಪ (ಕೊರಬ).—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ನಾನು ತಮಗೊಂದು ಅಡ್ಡರ್ಸ್ ಮೆಂಟ್ ಮೋಷನ್ನಿನ ನೋಟೀಸನ್ನು ಕೊಟ್ಟಿದ್ದೆನು. ಅದು ಏನೆಂದರೆ ಸೊರಬಾ ತಾಲ್ಲೂಕ್ ಕೃಷಿ ಸೋಡಿ ಗ್ರಾಮದಲ್ಲಿ ಇತ್ತೀಚೆಗೆ ಬೆಂಕಿ ಬಿದ್ದು ಅಲ್ಲಿ 43 ಮನೆಗಳು ಸುಟ್ಟುಹೋಗಿವೆ. ಸುಮಾರು 500 ಕ್ಷೀಣಾಲಿನಿಂದ ಒಂದು ಸಾವಿರ ಕ್ಷೀಣಾಲಿನವರೆಗೂ ಬತ್ತ ಸುಟ್ಟು ಹೋಗಿದೆ. ಆ ಗ್ರಾಮದ ಜನರು ನಿರ್ಗತಿಕರಾಗಿದ್ದಾರೆ. ಅವರಿಗೆ ಈ ದಿವಸ ವಸತಿಗೂ ಅನುಕೂಲವಿಲ್ಲ—ತಿನ್ನಲಕ್ಕೂ ಇಲ್ಲ. ಹೀಗಾಗಿದೆ. ಅಲ್ಲಿನ ಸ್ಥಳೀಯ ಅಧಿಕಾರಿಗಳು ಇಲ್ಲಿಯತನಕ ಅವರಿಗೆ ಯಾವ ಒಂದು ಪರಿಹಾರವನ್ನೂ ಕೂಡ ಒದಗಿಸಿಲ್ಲ. ನಾನು ಆ ಉದ್ದೇಶದಿಂದ ಈ ನಿಲುವಳಿ ಕೂಡನೆಯನ್ನು ತಮ್ಮ ಕಡೆಗೆ ಕೊಟ್ಟಿದ್ದೆ. ಅದಕ್ಕಾಗಿ ತಾವು ಆ ಸುಟ್ಟು ಹೋಗಿರತಕ್ಕ ಕೃಷೋದಿ ಗ್ರಾಮಕ್ಕೆ ಯಾವರೀತಿ ಪರಿಹಾರವನ್ನು ಒದಗಿಸಬೇಕು ಎಂಬುದನ್ನು ಕುರಿತು ಚರ್ಚೆ ಮಾಡುವುದಕ್ಕಾಗಿ ಅವಕಾಶ ಮಾಡಿ ಕೊಡಬೇಕಾಗಿ ತಮ್ಮಲ್ಲಿ ಪ್ರಾರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ.

Mr. DEPUTY SPEAKER.—The member has also given a notice to call the attention. It has been admitted. There is no need to discuss on this. He may refer the points when we take up the demands of General Administration. Therefore the consent is not given.

ಶ್ರೀ ಎಸ್. ಬಂಗಾರಪ್ಪ.—ಕೊನೆಯಪಕ್ಷ ಒಂದು ಕಾರ್ ಅಟೇಷನ್ ನೋಟೀಸಿಗಾದರೂ ಅನುಕೂಲ ಮಾಡಿಕೊಡಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

ಉಪಾಧ್ಯಕ್ಷರು :—ಅದನ್ನು ಮಾಡೋಣ.

NOTICE OF BRANCH OF PRIVILEGE BY SRI M. NAGAPPA

† ಶ್ರೀ ಎಂ. ನಾಗಪ್ಪ (ರಾಯಚೂರು).—ಸ್ವಾಮಿ, ಅಧ್ಯಕ್ಷರೇ, ನಾನು ರೂಲ್—178 ರ ಪ್ರಕಾರ ಒಂದು ಬ್ರಿಚ್ ಆಫ್ ಪ್ರಿವಿಲೇಜ್ ಮೋಷನ್ನನ್ನು ತಮಗೆ ಕಳುಹಿಸಿದ್ದೆ. ಅದು ಏನೆಂದರೆ :—ನಾನು ತಾ|| 26-2-1968 ರಲ್ಲಿ ಕಂಬೈಂಡ್ ಕಾಂಪಿಟೇಟಿವ್ ಎಗ್ಜಾಮಿನೇಷನ್ ಫಾರ್ ರೆಕ್ಯೂಟ್ ಮೆಂಟ್ ರೂಲ್ಸ್‌ಗಳ ವಿಚಾರವನ್ನು ಕುರಿತು ಒಂದು ಪಾರ್ಲ್ಯಾಮೆಂಟೇರಿಯ ಕಳುಹಿಸಿದ್ದೆ. ಇದೇ ವಿಷಯವನ್ನು ಕುರಿತು ಮೇಲ್ಮನೆಯ ಕಾಂಗ್ರೆಸ್ ಸದಸ್ಯರೊಬ್ಬರು ಅವರೊಂದು ಪ್ರಶ್ನೆಯನ್ನು ತಾ|| 27-2-1968 ರಲ್ಲಿ ಕಳುಹಿಸಿದ್ದಾರೆ ಎಂಬುದಾಗಿ ನನಗೆ ತಿಳಿದು ಬರುತ್ತಿದೆ. ಅವರು ಕಳುಹಿಸಿದ್ದು ಫೆಬ್ರವರಿ 27ರಲ್ಲಿ. ಆ ಮೇಲ್ಮನೆಯ ಕಾಂಗ್ರೆಸ್ ಸದಸ್ಯರು ಕಳುಹಿಸಿದ್ದ ಪ್ರಶ್ನೆಗೆ ಸರ್ಕಾರದವರು ಉತ್ತರವನ್ನು ಮೇಲ್ಮನೆಯಲ್ಲಿ ತಾ|| 20-3-1968 ರಲ್ಲಿ ಕೊಟ್ಟಿದ್ದಾರೆ. ನಾನು ಕಳುಹಿಸಿದ್ದ ಪ್ರಶ್ನೆಗೆ ಈ ದಿವಸ ಮಾತ್ರ ಉತ್ತರವನ್ನು ಒದಗಿಸಿದ್ದಾರೆ. ಇದಕ್ಕೆ ಉತ್ತರವನ್ನು ಒಂದು ಸೌಜನ್ಯತೆ ದೃಷ್ಟಿಯಿಂದ ಕಳುಹಿಸುವ ಮೊದಲು ಒದಗಿಸಬೇಕಾಗಿತ್ತು. ಅದರಲ್ಲೂ ನಾನು ಕಳುಹಿಸಿದ್ದು ಪಾರ್ಲ್ಯಾಮೆಂಟೇರಿಯ ಕೊಶ್ಟ್. ಆರ್ಡನರಿ ಕೊಶ್ಟ್‌ಗಳಿಗಿಂತ ಮೊದಲು ಅದಷ್ಟೂ ಬೇಗ 5-10 ದಿನಗಳಲ್ಲಿ ಉತ್ತರವನ್ನು ಒದಗಿಸಬೇಕಾಗಿತ್ತು. ಇದಕ್ಕೆಲ್ಲಾ ಸಾಕಷ್ಟು ನಿಯಮಗಳನ್ನು ಮಾಡಲಾಗಿದೆ. ಅಷ್ಟೆಲ್ಲಾ ನೇಮಗಳಿದ್ದರೂ ಒಂದು ದುರುದ್ದೇಶದಿಂದ ನನ್ನ ಪ್ರಶ್ನೆಗೆ ಮೊದಲು ಉತ್ತರವನ್ನು ಒದಗಿಸದೆ ಕಾಂಗ್ರೆಸ್ ಸದಸ್ಯರು ಕಳುಹಿಸಿದ್ದ ಪ್ರಶ್ನೆಗೆ ಉತ್ತರವನ್ನು ಒದಗಿಸಿದ್ದಾರೆ. ಇವರ ಉದ್ದೇಶ ಏನೆಂದರೆ ವಿರೋಧ ಪಕ್ಷದವರು ಕೆಲಸವನ್ನು ಸರಿಯಾಗಿ ಮಾಡುತ್ತಿಲ್ಲ, ಸಾರ್ವಜನಿಕ ಹಿತವನ್ನು ರಕ್ಷಣೆ ಮಾಡುತ್ತಿಲ್ಲ ಎಂದು ಜನತೆಯಲ್ಲಿ ಕೆಟ್ಟ ಅಭಿಪ್ರಾಯ ಹುಟ್ಟಿಸಲೆಂದು. ಹಾಗೂ ಕಾಂಗ್ರೆಸ್ ಸದಸ್ಯರು ನಿಷ್ಠೆಯಿಂದ ಮಾಡುತ್ತಿದ್ದಾರೆ ಎಂಬುದನ್ನು ತೋರಿಸಲು ಹೀಗೆ ಮಾಡಿದ್ದಾರೆ.....

Mr. DEPUTY SPEAKER.—I have understood it. There is no need to explain.

ಶ್ರೀ ಎಂ. ನಾಗಪ್ಪ.—ಅಧ್ಯಕ್ಷರೇ, ಇದರ ಪ್ರಾಮುಖ್ಯತೆ ಎಷ್ಟಿದೆ ಎಂಬುದನ್ನು ತಾಳೂ ಬಿಲ್ಲರಿ. ನಾವು ಇಲ್ಲಿ ನೇರವಾಗಿ ಜನತಾಪಕ್ಷದಿಂದ ಆರಿಸಿ ಬಂದವರು. ಸರ್ಕಾರದವರು ಈ ಸಭೆಗೆ ಪ್ರಥಮತಃ ತಮ್ಮ ಒಂದು ಪಾಲಿಸಿ ವಿಚಾರವನ್ನಾಗಲೀ ಅಥವಾ ಬಜೆಟ್‌ನ್ನಾಗಲೀ ಮಂಡಿಸಬೇಕಾಗಿದೆ. ಈ ಮನೆಯಲ್ಲಿ ಪ್ರಶ್ನೋತ್ತರಗಳ ಕಾಲ ಒಂದು ಗಂಟೆಗೆ ಪ್ರಾರಂಭವಾದರೆ, ಮೇಲ್ಮನೆಯಲ್ಲಿ ಪ್ರಶ್ನೋತ್ತರಗಳ ಕಾಲ ಎರಡೂಕಾಲು ಗಂಟೆಗೆ ಪ್ರಾರಂಭವಾಗುತ್ತದೆ. ಇಲ್ಲಿ ಪಾಸಾದ ಎಲ್ಲ ಖಾಯಿದಗಳನ್ನೂ ಮೇಲ್ಮನೆಗೆ ಕಳುಹಿಸಲಾಗುತ್ತದೆ. ಅಲ್ಲಿ ಅವರು ಅದನ್ನು ಒಪ್ಪಿದ್ದರೆ ಅದನ್ನು ನಾವು ಇಲ್ಲಿ ಪಾಸ್ ಮಾಡತಕ್ಕ ಅಧಿಕಾರ ನಮಗಿದೆ. ಹೀಗಿರುವಾಗ ನಾನು ಮೊದಲು ಪ್ರಶ್ನೆಯನ್ನು ಕಳುಹಿಸಿದ್ದರೂ ಅದಕ್ಕೆ ಉತ್ತರವನ್ನು ಒದಗಿಸದೆ ನನ್ನ ಪ್ರಶ್ನೆಯನ್ನು ಸಪ್ತೆಸ್‌ಮಾಡಿ ಕಾಂಗ್ರೆಸ್ ಸದಸ್ಯರ ಪ್ರಶ್ನೆಗೆ ಮೊದಲು ಉತ್ತರವನ್ನು ಕೊಡಲಾಗಿದೆ. ಅಷ್ಟೇ ಅಲ್ಲ ರೂಲ್ 194 ರ ಪ್ರಕಾರ ನಮಗಿರತಕ್ಕ ಒಂದು ವಾಕ್ ಸ್ವಾತಂತ್ರ್ಯವನ್ನೂ ಕೂಡ ಪ್ರತ್ಯಕ್ಷವಾಗಿ ಹಾಗೂ ಅಪ್ರತ್ಯಕ್ಷವಾಗಿ ಮೊಟಕು ಮಾಡಿದ್ದಾರೆ. ನೇಮಗಳನ್ನು ನಿಲ್ಲಿಸುವೆ ಮಾಡಿದ್ದಾರೆ. ರೂಲ್ 170 ಮತ್ತು ರೂಲ್ 180ರ ಪ್ರಕಾರ ನಾನು ಕೊಟ್ಟಿದ್ದ ನೋಟೀಸನ್ನು ಪಾನ್ಯ ಸಭೆಯ ಗಮನಕ್ಕೆ ತರಬೇಕೆಂದು ಬಯಸುತ್ತೇನೆ. ಅದು ಈ ರೀತಿ ಇದೆ:

10.00 A. M.

I may be permitted to raise the question of breach of privilege against the Hon'ble Chief Minister of Mysore, for the reasons stated below:—

I have sent a notice of Short question, by post on 26-2-1968, regarding the relaxation of the age of the Government employees to appear for the combined competitive examination for recruitment to the post of Gazetted Probationers (Class I & II) in the Mysore State Civil Service during 1968.

I learnt that such a question has been put one of the Congress Members of the Legislative Council on 27-2-1968.

I am told that the Hon'ble Chief Minister was pleased to reply the question put by the Congress M. L. C. on the floor of the Legislative Council on 20-3-1968; whereas his Government has not cared to send a reply to my question which is more or less of a similar nature; even to this date despite a notice under Rule 312 that has been given by me. The reasons for withholding reply to my question are obvious and the only inferences that can be drawn are as under:—

(i) To gain favouritism to the Congress organisation with such a malafide acts and omissions

(ii) And to defame and disrepute, directly or indirectly the elected members of this august House generally and in particular the members of the Opposition; thereby the Hon'ble Chief minister has committed the breach of privilege of this august House (Legislative Assembly) neglecting to answer the said question earlier than to the Legislative Council, because it is evident that always this House has a preferential rights over the Legislative Council in respect of placing policy matters and answering questions and introducing budgets and financial Bills as per the mandatory provisions of the constitution, established precedents and customs prevailing, generally in Indian Parliaments and House of Commons. Besides, I have sent a question earlier to the question sent by the Hon'ble Member of the Legislative Council.

Secondly the Government is expected to reply to the Short Notice question as early as possible, so that it should not assume the character of the starred or unstarred question. In this particular case, the Government has failed to reply, even after three weeks. So the question could not get the character of a short notice question due to the negligence and indifferent attitude of the Government. Thereby the Government has committed breach of my privilege to get a reply in a short period as per rules framed. And my purpose of putting question is denied purposely delaying and wilfully withholding the reply.

Hence in the circumstances aforesaid the breach of privilege constitutes in the following manner :

(1) Indignity offered to character and proceedings of the Assembly ;

(2) Indignity offered to Members of this Assembly in connection with the performance of their duties ;

(3) Utterly disregarded the freedom of speech i.e. (asking a short notice question) and proceedings in the Assembly.

I therefore request the Honourable Speaker to give consent to beg the leave of the House to refer this matter to the Committee of privileges to punish the honourable Chief Minister since the matter, which has arisen in this sitting, requires the intervention of this august House, as it is a specific recent occurrence.

† SRI S. R. KANTHI (Minister for Law and Parliamentary Affairs). — Sir, the Hon'ble Member has given notice under rule 178. Before you give your ruling, I wish to submit that the Hon'ble Member is not entitled to open his mouth in this House unless the Chair is satisfied that there is a *prima facie* case made out. I will read the relevant portion :

“Provided further that the Speaker may if he is satisfied about the urgency of the matter allow a question of privilege to be raised at any time during the course of the sitting after the disposal of the question.”

From this it is evident that the Chair has to be satisfied that there is urgency of the matter. Since the Chair has not said anything in this matter and the Chair is going to give a ruling, I submit humbly to the Chair that the Hon'ble Member was not entitled to open his mouth so far as the breach of privilege is concerned.

My friend Mr. Nagappa is not entitled to raise this question of privilege.

SRI H. SIDDAVEERAPPA (Harihar). — How can the Chair know about the urgency unless we open our mouth and explain? Can we show by signs ?

Sri S. R. KANTHI.—It means he cannot raise the question before the Chair is convinced about the urgency of the matter. Then only the Chair will call upon the Member to state his case. The Chair has not yet done that and Sri Nagappa was not entitled to raise the question since the Chair is not convinced about the *prima facie* breach of privilege.

Mr. Nagappa has raised this question because the Chief Minister has not answered his short notice question. I ask him to read Rule 48 which is very clear. It says :

“If the Minister concerned agrees to reply, such question shall be answered on the date to be indicated by the Minister.”

That is why I say there is question of breach of privilege. Mr. Nagappa is not entitled to raise the question of privilege in this House because Rule 48 is quite clear, because the question relates to the fact to which the Chief Minister must agree to answer the question as such. He has quoted Rule 194 which is irrelevant and I do not know whether the subject matter he has raised and what he has read about just now constitutes a breach of privilege or a motion. He has written a long text which is not a motion at all because it contains arguments. So there is no motion and what he has read cannot be considered as a motion because it contains arguments. A motion must not have any arguments. He is not entitled to raise this question unless the Chair allows him to do so. That is my point. Under Rule 48 the Chief Minister alone has to decide when he is going to give the answer.

MR. DEPUTY SPEAKER. —I have heard the member as also the Minister for Parliamentary Affairs. I will now give my ruling.

Sri M. Nagappa gave notice of the Short Notice Question on 29th February 1968 and it is learnt that the notice by the member of the Council was given a day earlier, though this House is not concerned with the proceedings of the other House. It is, therefore, not correct to say that Sri Nagappa had given notice of the question earlier to the question given notice of by the member of the Council.

From a perusal of the two questions tabled in the two Houses it could be seen that there is a slight difference in the two questions though in substance they relate to the same subject matter, namely, relaxation of age limit for Government employees appearing for the competitive examinations.

The hon. member Sri Nagappa has also dealt with the question of the preferential rights of this House over the other House. While this may be true in respect of certain financial matters it is not mandatory in respect of answering of questions as each House is governed by its own rules of procedure.

For these reasons, I hold that there is no breach of privilege and I do not give my consent for raising it.